
A BILL FOR AN ACT

RELATING TO PAROLE ELIGIBILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that participation in
2 treatment, work furlough, and other programs designed to assist
3 committed persons with successful reintegration back into the
4 community enhances rehabilitation and reduces recidivism. The
5 legislature further finds that treatment programs address
6 substance abuse and alcohol addiction, mental health illness,
7 and deviant sexual behaviors; work furlough provides
8 opportunities to secure employment, increase financial
9 stability, resocialize with family and support networks, and
10 secure housing prior to release; and other programs, such as
11 those focused on cognitive skills, parenting skills, and anger
12 management, enhance skills to manage daily living activities and
13 challenging situations.

14 Accordingly, the purpose of this Act is to include
15 treatment, work furlough, and other programs designed for
16 successful reintegration to the types of programs in which a
17 committed person can participate to be eligible for parole.



1 SECTION 2. Section 353-64, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§353-64 Committed persons paroled.** Any committed person
4 confined in any state correctional facility in execution of any
5 sentence imposed upon the committed person, except in cases
6 where the penalty of life imprisonment not subject to parole has
7 been imposed, shall be subject to parole in the manner and form
8 as set forth in this part; provided that the committed person
9 shall be paroled in the county where the committed person had a
10 permanent residence or occupation or employment prior to
11 incarceration, unless:

- 12 (1) The committed person will reside in a county in which
13 the population exceeds eight-hundred thousand persons;
- 14 (2) The committed person will be released for immediate
15 departure from the State; or
- 16 (3) The committed person shall be released to the county
17 in the State in which the committed person has the
18 greatest family or community support, opportunities
19 for employment, job training, education, treatment,
20 and other social services, as determined by the Hawaii
21 paroling authority; provided that to be considered for



1 parole to another county in the State, the committed
2 person shall provide a written request to the
3 department not less than six months prior to the
4 expiration of the committed person's longest minimum
5 sentence[~~-~~
6 ~~Provided~~]; provided further that to be eligible for parole, the
7 committed person, if the person is determined by the department
8 to be suitable for participation, [~~must~~] shall have been a
9 participant in an academic, treatment, or vocational education[~~-~~
10 ~~or~~] program, including participation in work furlough if so
11 recommended; prison industry program; or other programs designed
12 to assist the committed person with successful reintegration
13 back into the community. Such programs shall be authorized by
14 the department, and [~~must~~] the committed person shall have been
15 involved in or completed the [~~program~~] programs to the
16 satisfaction of the department[~~;- and provided further that~~
17 ~~this~~]. This precondition for parole shall not apply if the
18 committed person is in a correctional facility where [~~academic,~~
19 ~~treatment, vocational education, and prison industry~~] the
20 required programs or related facilities are not available. A
21 grant of parole shall not be subject to acceptance by the



1 committed person[-], and the foregoing program participation
2 requirements may be waived at the discretion of the Hawaii
3 paroling authority."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Parole Eligibility; Required Programs

Description:

Expands the types of programs in which a committed person may participate to be eligible for parole. Effective 7/1/3000.
(HD1)

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